

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**Lone Star Industries d/b/a Buzzi Unicem USA  
3301 S. County Road 150 West  
Greencastle, Indiana 46135**

**ATTENTION:**

**John Kass  
Plant manager**

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring Lone Star Industries, Inc., d/b/a Buzzi Unicem USA ("Buzzi" or "you") to submit certain information about your facility at 3301 S. County Road 150 West, Greencastle, Indiana. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request, unless otherwise specified in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Buzzi owns and operates an emission source at the Greencastle, Indiana facility. We are requesting this information to determine whether your emission source is complying with the Indiana State Implementation Plan, and the CAA at 40 C.F.R. Part 63.

Buzzi must send all required information to:

Attn: Compliance Tracker, AE-18J  
Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

Buzzi must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

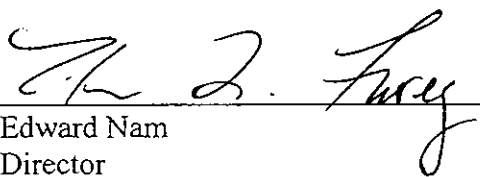
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Buzzi to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Scott Connolly at (312) 886-1493 or at [connolly.scott@epa.gov](mailto:connolly.scott@epa.gov). Any legal questions should be directed to Andre Daugavietis, Associate Regional Counsel, at (312) 886-6662 or at [daugavietis.andre@epa.gov](mailto:daugavietis.andre@epa.gov).

3/9/18  
Date

  
\_\_\_\_\_  
Edward Nam  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image format. If Excel formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, in the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Benzene Waste Operations at 40 C.F.R. Part 61 Subpart FF (BWO MACT), in the NESHAP from Off-site Waste and Recovery Operations at 40 C.F.R. Part 63 Subpart DD (OWRO MACT), in the NESHAP for Hazardous Waste Combustors at 40 C.F.R. Part 63 Subpart EEE, or in the NESHAP for Portland Cement Industry at 40 C.F.R. Part 63 Subpart LLL (PC MACT).

1. The term "cement kiln" or "kiln" shall mean equipment used for the purpose of generating clinker including, but not limited to, a rotary kiln and any associated preheater or precalciner devices that are used to produce clinker by heating limestone and other materials for subsequent production of cement. Kiln shall include associated clinker coolers, alkali bypasses, preheaters, precalciners and all similar equipment.
2. The terms "document," "documents" and "documentation" shall mean any object that records, stores or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including documentation solely in electronic form, including by way of illustration and not by way of imitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, email, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data

- processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.
3. The term "malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.
  4. The term "one-minute average" means the average of detector responses calculated at least every 60 seconds from responses obtained at least every 15 seconds.
  5. The term "startup" means the time from when a shutdown kiln first begins firing fuel until it begins producing clinker. Startup begins when a shutdown kiln turns on the induced draft fan and begins firing fuel in the main burner. Startup ends when feed is being continuously introduced into the kiln for at least 120 minutes or when the feed rate exceeds 60 percent of the kiln design limitation rate, whichever occurs first.
  6. The term "shutdown" means the cessation of kiln operation. Shutdown begins when feed to the kiln is halted and ends when continuous kiln rotation ceases.

## **Appendix B**

### **Information You Are Required to Submit to EPA**

Buzzi must submit the following information regarding its operations and facility located in Greencastle, Indiana, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) within 30 days, unless otherwise specified:

1. Provide data, in an Excel compatible format, for the following operating parameter limits (OPLs) for all one-minute averages during kiln operations from January 1, 2015 until December 31, 2017:
  - a. Combustion chamber exit temperature;
  - b. Inlet temperature to the ESP;
  - c. Inlet temperature to bypass baghouse;
  - d. Bypass carbon monoxide;
  - e. Calciner total hydrocarbon content (THC);
  - f. Total Hg feed rate from hazardous waste derived fuel (HWDF);
  - g. Stack flow rate;
  - h. Semi-volatile metals (SVM) thermal concentration;
  - i. Low volatility metals (LVM) thermal concentration; and
  - j. Total chlorine/chloride feed rate.
2. Provide a list of the start and end of all periods of time that Buzzi asserts are startup, shutdown and malfunctions of kiln operations from January 1, 2015 until December 31, 2017. For periods claimed as malfunctions, state the equipment failure and the corrective action.
3. From January 1, 2015 until December 31, 2017, provide periods of at least 24 consecutive hours when the kiln was in operation and hazardous waste derived fuel (HWDF) was not fed to the kiln, i.e. when the kiln was operating on only traditional fuels.
4. From January 1, 2011 until December 31, 2017, provide all documentation in the operating record that show that the kiln and alkali bypass are complying with all of the applicable requirements and standards of the PC MACT.
  - a. For all times that you have stated that the kiln and alkali bypass are complying with the PC MACT, provide documentation that demonstrates compliance with the emission limits promulgated under 40 C.F.R § 63.1343.
5. Provide a spreadsheet of one-minute average data recorded during kiln operations from January 1, 2015 until December 31, 2017 for each month for each of the following:
  - a. Particulate Matter Detection System (PMDS) values;
  - b. Monitored opacity; and
  - c. Power to the ESP in kVa.

6. Provide copies of all particulate matter emissions calculations derived from data obtained from any PMDS monitoring data from January 1, 2014 to the present.
7. Provide quarterly submittals that include minute data for all parameters listed in paragraphs 1 and 5 above and provide any operating records that show that the kiln and alkali bypass are complying with all of the applicable requirements and standards of the PC MACT. Include documentation for all periods when Buzzi claims that the kiln was in startup, shutdown or malfunction, according to the following schedule:
  - a. For the quarter of January 1, 2018 to March 31, 2018, submit by April 30, 2018;
  - b. For the quarter of April 1, 2018 to June 30, 2018, submit by July 31, 2018;
  - c. For the quarter of July 1, 2018 to September 30, 2018, submit by October 31, 2018; and
  - d. For the quarter of October 1, 2018 to December 31, 2018, submit by January 31, 2019.
8. For each component at the facility subject to the leak, detection, and repair (LDAR) monitoring requirements of the BWO MACT provide the following:
  - a. A count of each type of component;
  - b. The current frequency of Method 21 monitoring at the facility for each type of component;
  - c. All historic leak rate calculations, from April 1, 2013 to the receipt of this request, of all monitoring on each component. If there was no monitoring for any components in the time period indicated above, provide the historic leak rate calculation for the most recent monitoring. Include a count of all leaks discovered by component type;
  - d. Documentation of any delay of repairs during the time period indicated in 8c, above; and
  - e. All records of repairs performed on leaking components during the time period indicated in 8c, above.
9. For each component at the facility subject to the LDAR monitoring requirements of the OWRO MACT provide the following:
  - a. A count of each type of component;
  - b. The current frequency of Method 21 monitoring at the facility for each type of component;
  - c. All historic leak rate calculations, from April 1, 2013 to the receipt of this request, of all monitoring sessions for each component. If there were no monitoring sessions for any component in the time period indicated above, provide the historic leak rate calculation for the session previous to the time period. Include a count of all leaks discovered by component type;
  - d. Documentation of any delay of repairs during the time period indicated in 9c, above; and
  - e. All records of repairs performed on leaking components during the time period indicated in 9c, above.



## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

### **Determining Whether the Information Is Entitled to Confidential Treatment**

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

#### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by

Certified Mail, Return Receipt Requested, to:

John Kass  
Lone Star Industries, Inc. d/b/a Buzzi Unicem USA  
3301 S. County Road 150 West  
Greencastle, IN 46135

I also certify that I sent a copy of the Request to Provide Information Pursuant to the

Clean Air Act by E-mail to:

Phil Perry, Chief  
Air Compliance and Enforcement Branch  
Indiana Department of Environmental Management  
PPERRY@idem.IN.gov

On the 12<sup>th</sup> day of March 2018.



Kathy Jones, Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7014 28700601 9578 9930